

MINUTES OF HOUSE RULES COMMITTEE - 48TH LEGISLATURE

January 19, 1983

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Room 343

Chairman Vincent called the second meeting of the Rules Committee to order at 11:00 a.m. Representatives Fabrega and Yardley were not present at this time.

The first item of business was to take action on amendments to Senate Joint Resolution 1 proposed by the Joint Rules Committee who met January 17, 1983 (list of proposed amendments attached).

Vincent moved to delete Joint Rule 6-6(6) in its entirety. Motion carried unanimously.

Fagg moved the amendment to Joint Rule 6-29, to delete language requiring complete titles of bills be read on third reading. Motion carried unanimously. The effect of this amendment will be that only summary titles will have to be read on third reading.

Fagg moved the amendment to Joint Rule 7-2, and included recommendation by Vincent to add the word "the" before "request". Fabrega arrived-11:10 a.m. Motion carried unanimously. Following is text:

"Upon request of any member of the house in which a bill is pending, a standing committee shall submit a written report in triplicate on any bill or matter referred to it within seven days after request, unless, at the request of the committee and for good cause shown, further time is granted by the house concerned."

Speaker Kemmis said the State Administration Committee heard the reapportionment plan this morning. They formally had before them a simple House Resolution and a Joint Resolution as vehicles to work with. He said the contents are the same and that they approved the plan as submitted. He said the question for the Rules Committee is which way to go; a simple or a joint resolution? There are two vehicles because the Senate leadership indicated that they are not interested in passing a joint resolution on this matter. House rules indicate for what purposes a simple resolution may be used, and he thinks that it's stretching interpretation to make recommendation in a resolution. He also feels rules will have to be suspended to consider this.

Fabrega thinks all it would take to reconcile two resolutions would be to amend to add Senate proposals. It's the Legislature's decision and he thinks it should be a joint resolution.

Shontz referred to Article V, Section 14, Sub-section (3) of the Constitution pertaining to reapportionment plan. He doesn't think members are restricted to recommending only one plan.

Yardley arrived - 11:15 a.m.

Marks thinks a simple resolution is fine.

Kemmis said another proposal might be not to try to bring them

together in one recommendation. He commented that they could send resolution with one recommendation or send over one with more than one recommendation. Then Senate could add their own recommendations to it. He would like to avoid any possibility of a lawsuit because they used a simple resolution for something that was never intended.

Fabrega pointed out that a joint resolution is just an expression of opinion, unless accepted and adopted.

Discussion was held on pros and cons of using a resolution to make recommendation to Reapportionment Commission and interpretation of Constitution. Speaker Kemmis suggested that committee table simple resolution issue for another meeting.

Chairman Vincent said he wanted to discuss matter in caucus before taking a vote of members of Rules Committee.

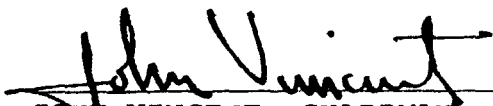
Kemmis moved that Senate Joint Resolution 1 be further amended on page 17, line 16, following "house", insert: ", or to make recommendations concerning the districting and apportionment plan as provided by Article V, Section 14, sub-section (3), of the Montana Constitution,". Roll call vote was taken: Representatives Vincent, Kemmis, Harrington, Marks, Shontz and Yardley voted "aye" - Representatives Addy, Fabrega, Fagg, and Ramirez voted "nay". Motion carried: 6 to 4.

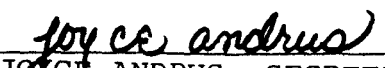
Ramirez moved following amendment to Joint Rule 6-4 to add the following paragraph:

"The House shall transmit a balanced budget to the Senate in accordance with Article VIII, Section 9, of the Montana Constitution, taking into account all appropriation measures transmitted by the House and all anticipated revenue from existing laws and from revenue measures originated in and transmitted by the House."

Discussion was held. Speaker Kemmis suggested that rather than working out mechanics of this change at the present time, he asked that Representative Ramirez put together more information on this issue for members to look at and take it up in another rules meeting tomorrow. Ramirez agreed and withdrew his original motion.

Chairman Vincent said final adoption of amendments to SJR 1 would be taken up, along with Representative Ramirez's proposed amendments, at another Rules Committee meeting tomorrow at 11:00 a.m. Being no further business, Vincent adjourned the meeting at 12:42 p.m.


JOHN VINCENT, CHAIRMAN


JOYCE ANDRUS, SECRETARY

RULES COMMITTEE #2 meeting

HOUSE OF REPRESENTATIVES

48TH LEGISLATURE

ATTENDANCE

DATE: 1/19/83 Rm. 243

	PRESENT	ABSENT	OTHER
VINCENT, Chairman	✓		
KEMMIS, Vice-Chairman	✓		
ADDY	✓		
FABREGA	✓		
FAGG	✓		
HARRINGTON	✓		
MARKS	✓		
RAMIREZ	✓		
SHONTZ	✓		
YARDLEY	✓		

RULES COMMITTEE

HOUSE OF REPRESENTATIVES

48TH LEGISLATURE

MOTIONS

DATE: January 19, 1983

MOTION: Kemmis moved to amend Senate Joint Resolution 1 by
adding to joint rule 6-1(1) the following language: "or to
make recommendations concerning the districting and apportionment
plan as provided by Article V, Section 14, sub-section (3), of the
Montana Constitution,"

	YES	NO	
VINCENT, Chairman	X		
KEMMIS, Vice-Chairman	X		
ADDY		X	
FABREGA		X	
FAGG		X	
HARRINGTON	X		
MARKS	X		
RAMIREZ		X	
SHONTZ	X		
YARDLEY	X		
TOTAL	6	4	

Motion Carried X

Motion Failed

PROPOSED AMENDMENTS TO SENATE JOINT RESOLUTION #1 CONSIDERED BY RULES
COMMITTEE - JANUARY 19, 1983:

Amend Joint Rule 6-6(6):

- (1) Page 23, lines 18 through 23, and page 24, line 1
Strike: subsection (6) in its entirety

Amend Joint Rule 6-29:

- (2) Page 34, line 14
Following: "third,"
Strike: ", which shall be by complete title,"

Amend Joint Rule 7-2:

- (3) Page 41, line 5
Following: "7-2."
Insert: "Upon request of any member of the house in which
a bill is pending,"

Strike: "A"
Insert: "a"

- (4) Page 41, line 6
Following: "on"
Strike: "all bills"
Insert: "any bill"

Following: "or"
Strike: "matters"
Insert: "matter"

- (5) Page 41, line 7
Following: "after"
Strike: "reference"
Insert: "the request,"

COMMITTEE OF THE WHOLE AMENDMENT

MR. CHAIRMAN: I MOVE TO AMEND

HOUSE RESOLUTION

REK No. 1

SECOND reading copy (YELLOW) AS FOLLOWS:
Color

1) Page 5. lines 15 and 16.

Following: "vote"

Strike: UNANIMOUS CONSENT

Insert: "a two-thirds vote"

2) Page 5. line 18.

Strike: "unanimous consent"


Insert: "a two-thirds vote"

DO PASS

DO NOT PASS

January 13, 1983

MEMORANDUM

TO: DEMOCRATIC MEMBERS OF HOUSE OF REPRESENTATIVES
FROM: JOHN VINCENT, MAJORITY LEADER 
RE: HOUSE RESOLUTION 1

This is to inform you that in the Rules Committee meeting yesterday the members accepted the 20-signature requirement agreed upon in caucus to overturn an adverse committee report. After a good deal of discussion, it was decided to amend the proposed rule to read as follows: "If 20 members, including at least one-third of the appointed members of the committee making the report, so indicate, the bill will be placed on second reading for debate." This addition is reflected in in your second reading copy of HR-1.

Because we did not have the time to discuss this in caucus yesterday, I wanted you to have an opportunity to know about this change before House Resolution 1 is considered on second reading today.

I would appreciate your careful attention to this proposed change. Thank you.

JV/ja